

January 15, 2010

TO: Members of the MAG Regional Council Executive Committee

FROM: Councilwoman Peggy Neely, City of Phoenix, Chair

SUBJECT: **REVISED MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA FOR THE MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE AND A POSSIBLE EXECUTIVE SESSION**

Tuesday, January 19, 2010 - Noon (Please note meeting day is on Tuesday due to MLK Holiday)
MAG Office, Suite 200 - Cholla Room
302 North 1st Avenue, Phoenix

A meeting of MAG Regional Council Executive Committee has been scheduled for the time and place noted above. Members of the Committee may attend the meeting either in person, by telephone conference, or by video conference. Agenda item #8, Lawsuit Filed by the Arizona Center for Law in the Public Interest for PM-10, has been revised to include discussion on potential riverbed restoration and possible action to provide funding to Maricopa County and the Arizona Department of Environmental Quality for air quality equipment and installation.

Please park in the garage under the building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Alana Chávez-Langdon at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions regarding the Executive Committee agenda items, please contact Councilwoman Peggy Neely at (602) 262-7445. For MAG staff, please contact Dennis Smith, MAG Executive Director, at (602) 254-6300.

TENTATIVE AGENDA

COMMITTEE ACTION REQUESTED

1. Call to Order

The meeting of the Executive Committee will be called to order.

2. Call to the Audience

An opportunity will be provided to members of the public to address the Executive Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Executive Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

2. Information and discussion.

ITEMS PROPOSED FOR CONSENT BY THE EXECUTIVE COMMITTEE

3. Approval of Executive Committee Consent Agenda

Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).

*3A. Approval of the November 23, 2009, Executive Committee Meeting Minutes

*3B. On-Call Consulting Services Selection for Intersection and Freeway Data Collection and Analysis

The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget includes \$350,000 for on-call consulting services for intersection and freeway data collection and

3. Approval of Executive Committee Consent Agenda.

3A. Review and approval of the November 23, 2009, Executive Committee meeting minutes.

3B Approval of the list of on-call consultants for the area of Expertise A (Intersection Traffic Data Collection and Analysis): CivTech, Lee Engineering, Midwestern Software Solution, Quality Traffic Data, Traffic Research and Analysis, United Civil Group and Y.S. Mantri Associate; and for Area of Expertise B (Aerial Photography Survey on Freeway Level of Service

analysis. The purpose of the project is to facilitate numerous dataset updates to support transportation planning needs. Eight proposals were received in response to a request for qualifications that was advertised on October 15, 2009, for technical assistance in two areas of expertise. On December 3, 2009, a multi-agency evaluation team reviewed the Statements of Qualifications (SOQs) and unanimously recommended to MAG approval of the list of on-call consultants: Area of Expertise A (Intersection Traffic Data Collection and Analysis): CivTech, Lee Engineering, Midwestern Software Solution, Quality Traffic Data, Traffic Research and Analysis, United Civil Group and Y.S. Mantri Associate; Area of Expertise B (Aerial Photography Survey on Freeway Level of Service and Intersection Queue Length): Skycomp and United Civil Group. This item is on the January 13, 2010, MAG Management Committee agenda. An update on the action taken by the Management Committee will be provided. Please refer to the enclosed material.

3C. Consultant Selection for the Central Phoenix Transportation Framework Study

The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council, includes \$600,000 to conduct Phase I of the Central Phoenix Transportation Framework Study. This is a multi-year/multi-phase project for a study area bounded by Loop 101 on the North, East, and West, and the Gila River Indian Community on the South. A Request for Proposals was advertised on October 21, 2009, and four proposals were received in response. A multi-agency evaluation team reviewed the proposals and recommended to MAG the selection of Wilson & Company to conduct the study. This item is on the January 13, 2010, MAG Management Committee agenda. An update on the action taken by the Management Committee will be provided. Please refer to the enclosed material.

and Intersection Queue Length): Skycomp and United Civil Group, for the MAG Intersection and Freeway Data Collection and Analysis, for a total amount not to exceed \$350,000.

3C. Approval that Wilson & Company be selected to conduct Phase I of the Central Phoenix Transportation Framework Study for an amount not to exceed \$600,000.

3D. Request for Transit Planner Position to Be Added to the FY 2010 MAG Unified Planning Work Program and Annual Budget

Since the approval of the FY 2010 Unified Planning Work Program in May 2009, the workload for transportation programming has greatly increased. The American Recovery and Reinvestment Act (ARRA) has increased the workload, and it appears that a second round of ARRA funding will be enacted. Along with this responsibility, MAG has assumed responsibility for programming federal transit funds. To meet this increased workload, MAG is requesting that a transit planner/programmer II/III be added to the FY 2010 MAG Unified Planning Work Program and Annual Budget.

3D. Approval to add a Transit Planner/Programmer II/III to the FY 2010 MAG Unified Planning Work Program and Annual Budget.

**ITEMS PROPOSED TO BE HEARD
BY THE EXECUTIVE COMMITTEE**

4. Reconsideration of MAG Committee Chair and Vice Chair Appointments for the Water Quality Advisory Committee

On November 23, 2009, the MAG Regional Council Executive Committee approved appointments of new chairs and vice chairs ending January 2011. The chairs and vice chairs of the Standard Specifications and Details Committee and Water Quality Advisory Committee were approved until jurisdictional equity can be achieved pending an expression of interest from a MAG member agency which would be reconsidered at that time. Following the November 23, 2009, Executive Committee meeting, MAG staff received two additional letters of interest for chair and vice chair appointments on the Water Quality Advisory Committee. Please refer to the enclosed material.

4. Approval of appointments of new chair and vice chair for the Water Quality Advisory Committee ending January 30, 2011.

5. Potential Use of Social Media Outreach at MAG

The use of social media is growing at an exponential rate in the U.S. and worldwide. In many respected schools of thought, social media is not a fad; it is a radical upheaval of traditional communication avenues and methods. Sites like Twitter.com are increasingly used in public communication efforts by jurisdictions across the country, including cities like Glendale,

5. Direction to implement a strategy to allow for the introduction of social media for communication efforts at MAG.

Phoenix and Tempe. Law enforcement agencies such as the Phoenix and Scottsdale police departments utilize social media for citizen outreach. Peer agencies, including the Puget Sound Regional Council in Seattle, the Regional Transportation Commission of Southern Nevada, and Metro in Oregon, are currently using social media such as blogs, Twitter, Facebook and YouTube to enhance communication with stakeholders and the public. MAG staff is recommending that MAG implement a strategy to allow for the introduction of social media for communication efforts. Please refer to the enclosed material.

6. Transportation Roles and Responsibilities Update

On September 21, 2009, the MAG Executive Committee approved Option I: Programming Consolidated at MAG; forming a MAG transit committee, and addressing potential budget issues regarding the Regional Public Transportation Authority (RPTA) and Valley Metro Rail (METRO) in the development of the FY 2011 MAG Unified Planning Work Program and Annual Budget. The Executive Committee directed that staff report back on the remaining three options in no later than 90 days and that progress reports be provided at future Executive Committee meetings. Over the last several months staff have met with representatives from RPTA, METRO, and the City of Phoenix to discuss planning and programming issues. MAG staff has prepared a recommendation regarding transportation roles and responsibilities among the agencies for consideration by the Executive Committee. Please refer to the enclosed material.

7. Discussion of the Development of the Fiscal Year 2011 MAG Unified Planning Work Program and Annual Budget

Each year, the Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May. This overview of MAG's draft Dues and Assessments and the proposed budget production timeline provides

6. Recommendation to approve the seven staff recommendations for the consolidation and clarification of transit planning and programming roles and responsibilities.

7. Information and input on the development of the fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget.

an opportunity for early input into the development of the Work Program and Budget. Please refer to the enclosed material.

8. Lawsuit Filed by the Arizona Center for Law in the Public Interest for PM-10

On December 2, 2009, the Arizona Center for Law in the Public Interest filed a lawsuit in the U.S. District Court for the District of Arizona against the Environmental Protection Agency (EPA) for failure to take action on the MAG Five Percent Plan for PM-10. The plan was submitted to EPA by the federal deadline of December 31, 2007. According to the complaint, EPA should have taken action to approve or disapprove the plan by June 30, 2009 under the Clean Air Act. The Center is requesting that the Court order EPA to: immediately begin rulemaking to approve or disapprove in whole or in part, the Five Percent Plan; publish in the Federal Register a proposed rule approving or disapproving the Five Percent Plan within one month; and publish and promulgate a final rule approving or disapproving the Five Percent Plan in the Federal Register within three months. The Committee will also be briefed on potential riverbed restoration that may provide a more permanent solution.

The Executive Committee may vote to recess the meeting and go into executive session to discuss and consult with MAG's attorney for legal advice regarding pending litigation filed by the Arizona Center for Law in the Public Interest for PM-10 against the Environmental Protection Agency (EPA), and the effect or potential effect on transportation issues. The authority for such an executive session is A.R.S. § 38-431.03(A)(3) and (4).

The Executive Committee may reconvene the meeting to consider amending the FY 2010 MAG Unified Planning Work Program and Annual Budget to provide \$75,235 to the Maricopa County Air Quality Department to cover the cost of establishing five temporary monitors upwind of the West 43rd Avenue monitor site and \$4,000 to the Arizona Department of Environmental Quality for the recalibration of Dusttrak monitors as part of a

8. Information, discussion and possible action to recess the meeting to conduct an executive session to discuss and consult with MAG's attorney for legal advice regarding pending litigation filed by the Arizona Center for Law in the Public Interest for PM-10 against the Environmental Protection Agency (EPA), and the effect or potential effect on transportation issues and reconvene the meeting to consider amending the FY 2010 MAG Unified Planning Work Program and Annual Budget to provide \$75,235 to the Maricopa County Air Quality Department to cover the cost of establishing five temporary monitors upwind of the West 43rd Avenue monitor site and \$4,000 to the Arizona Department of Environmental Quality for the recalibration of Dusttrak monitors as part of a Data Collection Plan to Evaluate and Identify Sources and Unique Geographic and Meteorological Conditions Contributing to Exceedances of the PM-10 Standard at the West 43rd Avenue Monitor, if necessary.

Data Collection Plan to Evaluate and Identify Sources and Unique Geographic and Meteorological Conditions Contributing to Exceedances of the PM-10 Standard at the West 43rd Avenue Monitor, if necessary. Federal transportation funds would be available for this purpose if needed. A copy of the complaint is provided. Please refer to the enclosed material.

9. Review of MAG FY 2010 Goals and Results and Discussion of Proposed Draft FY 2011 Goals/Work Emphasis Areas

Each year as part of the Executive Director's evaluation, current year (FY 2010), goals/work emphasis areas and results are presented. In addition, the proposed goal/work emphasis areas for FY 2011 are presented for input. Please refer to the enclosed material.

10. Executive Director's Annual Performance Evaluation.

The employment agreement entered into with the MAG Executive Director in January 2003 provided that the Executive Committee conduct an annual performance review in consultation with the Regional Council. On November 23, 2009, the Executive Committee agreed to move forward with the evaluation survey for the MAG Executive Director's performance review.

On November 24, 2009, the survey was sent to members of the Regional Council to receive their input on the review. A survey was also sent to the members of the Executive Committee. The results of the completed surveys were summarized and will be discussed by the members of the Executive Committee. This information will be sent separately.

The Executive Committee may vote to recess the meeting and go into executive session to discuss personnel matters relating to the MAG Executive Director's review and salary. The meeting may then be reconvened to take action regarding the review and make a salary determination. It is anticipated that the action of the Executive Committee would be presented to the Regional Council for ratification. The

9. Review of MAG FY 2010 Goals and Results and discussion/input into the Draft FY 2011 Goals/Work Emphasis Areas.

10. Information, discussion and possible action to recess the meeting to conduct an executive session to discuss personnel matters relating to the MAG Executive Director's review and salary, and to reconvene the meeting for possible action on the review and salary of the MAG Executive Director.

authority for such an executive session is A.R.S.
§ 38-431.03(A)(1).

11. Request for Future Agenda Items

Topics or issues of interest that the Executive Committee would like to have considered for discussion at a future meeting will be requested.

12. Adjournment

11. Information and discussion.